

Docket No.: 289141US2PCT/mca

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Tatsuo MATSUOKA

SERIAL NUMBER: 10/574,602

GROUP: 2837

FILED: April 5, 2006

EXAMINER: CHAN, KAWING

FOR: SAFETY DEVICE OF ELEVATOR AND ITS OPERATION TESTING METHOD

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

MAIL STOP ISSUE FEE
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

SIR:

Applicant acknowledges with appreciation the indication of allowability of the claimed invention. In response to the Examiner's Statement of Reasons for Allowance in the Notice of Allowance of April 14, 2009, Applicant respectfully submits the following comments.

In the Examiner's Statement of Reasons for Allowance on page 2 of the Notice of Allowance, paragraph 5 states in part:

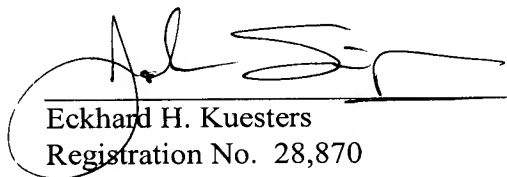
The following is an examiner's statement of reasons for allowance:

The cited prior art do not teach or suggest a device or method for testing operation of a brake device of an elevator includes a safety relay main contact and a bypass relay main contact, wherein the bypass relay main contact that is parallel-connected with the safety relay main contact and that opens during a normal operation. The combinations of the claimed limitations in the independent claims 1 and 7 are not anticipated or made obvious by the prior art of record in the examiner's opinion.

It is respectfully noted that independent Claims 1 and 7 do not include this language. For example, Claim 1 is not directed at a “device or method for testing operation of a brake device” but rather to “An elevator safety device”. Regarding Claim 7, it does not include a reference to “bypass relay main contact ... and that opens during a normal operation”. Accordingly, it is respectfully submitted that the above-quoted statement does not apply to Claims 1 and 7 to the extent the language used in the statement differs from the language of the claims.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Registration No. 28,870

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/04)

John Sipos

Registration No. 61,985